



STATE OF WASHINGTON  
ENERGY FACILITY SITE EVALUATION COUNCIL  
PO Box 43172 • Olympia, Washington 98504-3172

In the Matter of:  
**BP Cherry Point Cogeneration Project**  
**EFSEC Application No. 2002-01**

**Official Notice of Governor's Decision**

All Interested Persons take note:

On December 21, 2004, pursuant to chapter 80.50.100 of the Revised Code of Washington (RCW), Governor Gary Locke approved certification for the construction and operation of the BP Cherry Point Cogeneration Project, EFSEC Application No. 2002-01, and executed the Site Certification Agreement on behalf of the state of Washington.

A final decision pursuant to RCW 80.50.100 on an application for certification is subject to judicial review pursuant to the provisions of chapter 34.05 RCW (Administrative Procedure Act) and RCW 80.50.140. Petitions for review of such a decision must be filed in Thurston County Superior Court. Pursuant to the requirements of RCW 34.05.542 (3), petitions for review of the Governor's decision in this matter are not timely unless filed with the court and served on EFSEC and all other parties of record within 30 days of the Governor's action.

In the matter of the BP Cherry Point Cogeneration Project, the judicial review process cited above applies to the Site Certification Agreement, and all attached permits *with the exception of* the Approval of the Prevention of Significant Deterioration program (PSD) air emissions permit. Separate notice will be made at a later date regarding the PSD Permit, and applicable appeals process.

A copy of the executed Site Certification Agreement may be obtained upon request from the EFSEC office, by calling (360) 956-2121. The Site Certification Agreement is also posted on EFSEC's web site at [www.efsec.wa.gov](http://www.efsec.wa.gov). For additional information regarding this notice, please contact Irina Makarow of EFSEC staff, at (360) 956-2047, or [irina@ep.cted.wa.gov](mailto:irina@ep.cted.wa.gov).

Dated at Olympia this 22<sup>nd</sup> day of December, 2004.

Allen J. Fiksdal  
EFSEC Manager